

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO BE KNOWN AS THE "PALM BEACH COUNTY YOUTH COURT FUND ORDINANCE", CREATED PURSUANT TO CHAPTER 39.019, FLORIDA STATUTES, PROVIDING FOR THE IMPOSITION OF A THREE DOLLAR (\$3.00) ASSESSMENT FOR THE PALM BEACH COUNTY YOUTH COURT; PROVIDING FOR ACCOUNTING OF FUNDS; PROVIDING FOR USE OF FUNDS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Chapter 39.019, Florida Statutes, providing for the operation and administration of teen courts; and

WHEREAS, the purpose of the Palm Beach County Youth Court (Teen Court) is to reduce the number of youth offenders, while providing an educational, realistic experience in an actual court of law and to educate youths through participation as volunteers in the Youth Court (Teen Court) Program, thereby developing a better understanding of the legal process; and

WHEREAS, the 1996 Florida Legislature enacted Chapter 39.019, Florida Statutes, creating the operation and administration of teen courts and authorizing counties to adopt an ordinance to provide funding of teen courts through the assessment of an additional court cost; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida has reviewed Chapter 39.019, Florida Statutes, and believes that the assessment of an additional court cost to fund the Palm Beach County Youth Court (Teen Court) is a worthwhile cause; and

WHEREAS, the Palm Beach County Youth Court (Teen Court) needs to identify a secure and stable ongoing funding source in order to ensure its operations countywide; and

WHEREAS, the Board of County Commissioners is desirous of establishing such funding.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1 Section 1. Title.

2 This Ordinance shall be known as the "Palm Beach County Youth
3 Court Fund Ordinance".

4 Section 2. Assessments Imposed.

5 A. A Youth Court Fund shall be established. The court
6 shall assess court costs of \$3.00 against every person who pleads
7 guilty or nolo contendere to, or is convicted of, regardless of
8 adjudication, a violation of a state criminal statute or a
9 municipal or county ordinance or who pays a fine or civil penalty
10 for any violation of Chapter 316, Florida Statutes. Any person
11 whose adjudication is withheld pursuant to Section 318.14(9) or
12 (10), Florida Statutes, shall also be assessed such costs.

13 B. The \$3.00 assessment for court costs shall be assessed
14 in addition to any fine, civil penalty, or other court cost and
15 shall not be deducted from the proceeds of that portion of any
16 fine or civil penalty which is received by a municipality in the
17 county or by the county in accordance with Sections 316.660 and
18 318.21, Florida Statutes.

19 C. The \$3.00 assessment shall specifically be added to any
20 civil penalty paid for a violation of Chapter 316, Florida
21 Statutes, whether such penalty is paid by mail, paid in person
22 without request for a hearing, or paid after hearing and
23 determination by the court. However, the \$3.00 assessment shall
24 not be made against a person for a violation of any state
25 statutes, county ordinance or municipal ordinance relating to the
26 parking of vehicles, with the exception of a violation of the
27 handicapped parking laws.

28 D. The Clerk of the Court shall collect and deposit the
29 assessments collected pursuant to this Ordinance in an appropriate
30 designated account, for disbursement to the Youth Court (Teen
31 Court) monthly.

32 E. The Clerk of the Court shall withhold 5 percent of the
33 assessments each court collects pursuant to this Ordinance for the
34 costs of administering the collection of assessments under this
35 Ordinance.

1 **Section 3. Use of Funds.**

2 All funds collected pursuant to this Ordinance shall be used
3 exclusively for the purpose of funding and maintaining the Youth
4 Court (Teen Court). Any other funds obtained for the
5 implementation or operation of the Youth Court (Teen Court) may
6 be deposited into the designated account for disbursement to the
7 Youth Court (Teen Court) monthly.

8 **Section 4. Accounting of Funds**

9 The Administrative Offices of the Court shall have oversight
10 responsibility and accountability of the funds collected pursuant
11 to this Ordinance. The Youth Court (Teen Court) shall account for
12 all funds that have been deposited into the designated account by
13 August 1 annually in a written report to the Administrative
14 Offices of the Court.

15 **Section 5. Repeal of Laws in Conflict:**

16 All local laws and ordinances in conflict with any provisions
17 of this Ordinance are hereby repealed to the extent of such
18 conflict.

19 **Section 6. Severability:**

20 If any section, paragraph, sentence, clause, phrase, or word
21 of this Ordinance is for any reason held by the Court to be
22 unconstitutional, inoperative, or void, such holding shall not
23 affect the remainder of this Ordinance.

24 **Section 7. Inclusion in the Code of Laws and Ordinances:**

25 The provisions of this Ordinance shall become and be made a
26 part of the Code of Laws and Ordinances of Palm Beach County,
27 Florida. The sections of this Ordinance may be renumbered or
28 relettered to accomplish such, and the word "ordinance" may be
29 changed to "section", "article", or other appropriate word.
30

1 Section 8. Effective Date:

2 The provisions of this Ordinance shall become effective upon
3 filing with the Department of State.

4 APPROVED and ADOPTED by the Board of County Commissioners of
5 Palm Beach County, Florida, on this the 14th day of
6 January, 1997.

7
8 PALM BEACH COUNTY, FLORIDA, BY ITS
9 BOARD OF COUNTY COMMISSIONERS

10
11 By: [Signature]
12 Chairman

13
14 APPROVED AS TO FORM AND
15 LEGAL SUFFICIENCY

16
17 By: [Signature]
18 County Attorney
19

20
21 EFFECTIVE DATE: Filed with the Department of State on the
22 21 day of January, 1997, at N/A .m.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 1/14/97
DATED at West Palm Beach, FL on 1/31/97
DOROTHY H. WILKEN, Clerk
By: [Signature] D.C.

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (<u>Palm Beach</u>)	COUNTY ORDINANCE # (<u>97-2</u>) (e.g., 92-001)
PRIMARY KEYFIELD DESCRIPTOR: (<u>Court Fees</u>)	
SECONDARY KEYFIELD DESCRIPTOR: (<u>Judicial</u>)	
OTHER KEYFIELD DESCRIPTOR: (_____)	
ORDINANCE DESCRIPTION: (<u>Fees Court Fund</u>)	(25 characters maximum including spaces)
ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: (_____);	AMENDMENT # 2: (_____).
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: (_____);	REPEAL # 3: (_____);
REPEAL # 2: (_____);	REPEAL # 4: (_____);
(Others repealed: list all that apply): _____	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: (_ _)
KEYFIELD 1 CODE: (_____)	KEYFIELD 2 CODE: (_____)
KEYFIELD 3 CODE: (_____)	Rev. 8/29/93